

## REMARKS

This amendment is in response to the Office Action of February 7, 2005. In the Office Action, the Examiner rejected claims 1, 5, 6 and 10 and objected to claims 2-4, 7-9, 11 and 12.

The Examiner first rejected claim 9 for improper antecedent basis.

Applicant has amended claim 9 to now depend on claim 7, resulting in proper antecedent basis.

The Examiner next rejected claims 1 and 6 under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,209,466 to *Woodrich*, cited by Applicant.

Applicant has amended claim 1 to recite:

“...a first connection configuration formed in unitary fashion with said body for mounting said guard to said frame member...”

Applicant has amended claim 6 to recite:

“...a first connection configuration fixed to said body for mounting said guard to said frame member...”

*Woodrich* discloses a two part seed boot 24 including an upper cast portion 26 and lower cast portion 28. The upper portion is mounted to the frame using a separate pin 36 (Figure 2). The lower portion 28 is mounted to the upper portion using a bolt 54 (Figure 4).

Applicant submits that the seed boot of *Woodrich* does not anticipate claims 1 and 6 and requests withdrawal of the rejection.

The Examiner next rejected claims 1 and 6 under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,059,047 to *Schimke*. *Schimke* discloses a

seed boot 2 that mounts a sweep 11 using a fastener 12 (Figure 1). The boot 2 is fastened to the cultivator shark 3 using fasteners 9 (Figure 3).

Applicant submits that the sweep of *Schimke* is fastened to the frame by the fasteners using a tool and does not anticipate claims 1 and 6, and requests withdrawal of the rejection.

The Examiner next rejected claims 5 and 10 under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,059,047 to *Schimke*. Since claims 1 and 6 distinguish *Schimke*, claims 5 and 10 should also be allowable.

The Examiner objected to claims 2-4, 7-9, and 11-12 as being dependent upon a rejected base claim but indicated allowability if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicant acknowledges this allowance with appreciation. Applicant has rewritten claims 2, 7 and 11 accordingly. Claims 2-4, 7-9 and 11-12 should all now be allowable.

Applicant submits that all claims are in condition for allowance and requests issuance of the application.

Respectfully submitted,

By:



Randall T. Erickson, Reg. No. 33,872

Attorney Docket No.: 6301P0130US  
The Law Office of Randall T. Erickson, P.C.  
425 W. Wesley St., Suite 1  
Wheaton, IL 60187  
(630) 665-9404  
Customer No. 41528